

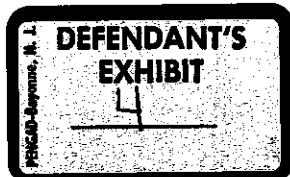
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERNESTO SANTIAGO, )  
Plaintiff, )  
v. )  
UNITED STATES OF AMERICA, )  
Defendants. )  
C.A. No. 04-335E  
Judge McLaughlin  
Magistrate Judge Baxter

DECLARATION OF DENNIS FLATT

I, Dennis Flatt, hereby declare as follows:

1. I have been employed by the Federal Bureau of Prisons ("BOP") at the Federal Correctional Institution (FCI) since September 1989. I have held a number of positions within the Recreation Department at FCI McKean, including Recreation Specialist, Assistant Supervisor of Recreation and the Supervisor of Recreation. I am currently the Supervisor of Education. In this position, I have responsibility for, among other things, the supervision of FCI McKean Education staff who process inmate requests for photocopies. I am familiar with the policies and procedures in place at FCI McKean for the processing of photocopy requests of inmates housed in the SHU at FCI McKean. A part of my official responsibilities, I make routine tours, or rounds, through the SHU. This declaration is based on personal information and information I have received in my official capacity.



2. I am familiar with the Plaintiff in this matter, FCI McKean inmate Ernesto Santiago, Reg No. 90304-038. I understand he alleges that I have refused to make photocopies of materials for him while he has been housed in the Special Housing Unit (SHU) at FCI McKean.
3. Plaintiff has alleged that when I make rounds through the SHU, I refuse his requests to make photocopies of his documents. The Plaintiff has submitted written requests to me while making rounds. I have accepted any and all such requests and, pursuant to the standard operating procedures, I have provided those requests to the Education staff members assigned to obtain and copy the documents for SHU inmates.
4. Although I have never personally copied such documents, I have routinely assisted in processing such requests by delivering the request for copies to the proper staff member and delivering the copied documents to the inmate.
5. I have never instructed a staff member to refuse the Plaintiff copies and I have followed all procedures in place to ensure inmates assigned to the SHU have access to the photocopying of documents.

In accordance with 28 U.S.C. §1746, I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: October 27, 2005

Dennis Flatt  
Dennis Flatt  
Supervisor of Education  
FCI McKean